

WRITTEN TESTIMONY OF RUTH HARLIN

MICHIGAN STATE HOUSE JUDICIARY COMMITTEE REPRESENTATIVE MARK MEADOWS, CHAIRMAN

December 14, 2009

Chairman Mark Meadows and committee members, thank you for taking the time to hear testimony from community members and leaders about public defense. Thank you to Rep. Constan and Rep. Amash for serving on the House Subcommittee on Indigent Defense.

My name is Ruth Harlin, and I am the sister of a man named Eddie Joe Lloyd. Eddie was a wonderful, positive individual and I am so proud and lucky to have had him as a brother. I know that he is looking down on us hoping that we'll do the right thing to prevent future injustices, so that what happened to him won't happen to others.

I'd like to take a few minutes to share with you what happened to Eddie. I hope that you'll consider his story and decide to support much-needed changes in Michigan's public defense system.

Eddie was a very personable individual he never met a person that did not like him. He won the heart of Attorney Barry Scheck and his staff at the New York based Innocence Project. Eddie's humor was unbelievable he kept everyone around him laughing. Eddie attended school in Jackson Mississippi when he graduated High School he scored high enough on his aptitude test to enter West Point. As a child he was often called professor and while incarcerated he was called the lawyer. He was very intelligent and articulate. Eddie loved his family he always had a hug and kiss for us and would often tell us he loved us. He had a close bond with his twin sister Addie who was murdered in 1972 by her husband. Her death devastated Eddie he slumped into a depression that he never really was able to come out of. He began to use drugs and to me the drugs put him into a type of psychosis and delusional at times. Eddie was never violent or mentally ill he was just a bit hyper. We loved Eddie and miss him dearly. What happened to Eddie and our family was devastating, by not having an adequate public defense system in place affected each and every one of his family members. I still feel the pain today my heart aches as I draft this testimonial.

During the 1980s, Eddie worked for the Department of Social Services one particular day Eddie felt that DSS owed him a pay check Eddie caused a disturbance, the police were called and they took Eddie to the Detroit Herman Keifer Hospital for evaluation. Eddie would sometimes get into trouble and while in police custody he would build a

rapport with a particular officer and often write to them. He often sent letters to the Detroit police with ideas about how murder cases could be solved. He had previously been diagnosed by his psychiatrist as having bipolar affective disorder. He was convinced by Detectives to falsely confess to committing a 1984 rape and murder of a teenage girl in Detroit. They told him his confession would bring forth the real killer. This false confession was made to police officers and detectives that came to interview him while he was on the psychiatric ward at Herman Keifer Hospital.

Eddie was put on trial for this terrible crime. His first appointed attorney quit on the day of trial because he was ill. His second attorney did not provide effective representation for Eddie – he failed to do so many things. This attorney even publicly stated to the media that Eddie was a sick individual and was guilty of the crime. He was an innocent man.

No one challenged the police interrogation of my brother or asked about the fact that it took place in a mental institution. No psychiatrist was asked to be an expert to say whether or not my brother's confession was reliable.

No one called for the scientific analysis of evidence at the crime scene – things like blood, hair, and fingernail scrapings.

Can you believe that no defense witnesses were called? Barely any cross examination took place. The investigator in Eddie's defense was a law student with a prior record. That investigator never met with my brother and never actually did a real investigation.

While in prison, Eddie contacted the Innocence Project. After many years of searching for the biological evidence, two crime labs did DNA tests. Both found that the DNA evidence excluded my brother as a suspect. In other words, Eddie had been proven innocent by DNA. Finally, on August 26, 2002, my brother was exonerated. We were so happy to have him come home. (A quote from Eddie Joe Lloyd on his day of release) "DNA is God's signature...God's signature is never a forgery ...and his checks don't bounce."

Eddie spent more than seventeen years in prison for a crime that he did not commit. Unfortunately, the person who actually committed that terrible rape and murder was never found.

I first got involved in the Campaign for Justice by speaking out at events about what happened to my brother. This is something that still makes me angry and I truly hope that this never happens to anyone else. Justice was again not served when my sister

Addie was murdered nor for her twin Eddie. Addie's husband did no more than 4 years for manslaughter when it was clearly 2nd degree murder another injustice the current public defense system has not worked for our family. If Michigan had the death penalty Eddie Joe Lloyd would have been executed.

If Michigan had a public defense system that worked, would my brother and my family gone through this injustice? If his attorney had the time and actually had an investigation, called experts, looked into important issues and really represented my brother, maybe Eddie wouldn't have spent 17 years in prison. Maybe he would be with us here today and would not have developed medical problems while in prison leading to his passing in 2004. It's time for a change. Please help.

I hope you'll take a moment to think about my brother, Eddie Joe Lloyd. My family and I hope that you'll think about him, but more importantly, that you'll act on this issue. Please support public defense reform, and make sure that this ordeal does not happen to anyone else or their family.

Thank you for your time and consideration.

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